

REMARKS

Claims 1-3, 5-22, 24, and 37-45 are currently pending in this application. Claim 1 has been amended, claim 4 has been cancelled, claim 19 has been amended to incorporate language suggested by the Examiner, claim 23 has been cancelled, claims 25-36 have been cancelled, and claims 37-45 have been added to present previously allowed subject matter as method claims.¹

In the June 29, 2007 Office Action, claims 10-18 were allowed by the Examiner. As a preliminary matter, the applicants wish to thank the Examiner for allowing the subject matter of claims 10-18. Claims 1, 5, 6, 8, 9, 25-29, 31, 33, 35, and 36 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 6,499,006 to Rappaport et al ("Rappaport"). Claims 2, 3, 7, 30, 32, and 34 were rejected under 35 U.S.C. § 103(a) over Rappaport in view of well-known prior art. Without conceding that the claimed subject matter was not patentable over the cited prior art references, claims 25-36 have been cancelled in this response to expedite prosecution. Thus, the rejections of claims 25-36 are now moot.

Claim 4 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Claim 1 has been amended to incorporate the limitations of claim 4. Thus, claim 1 is now in condition for allowance because it presents the allowed subject matter of claim 4, rewritten in independent form including all of the limitations of original claim 1, as recommended by the Examiner.

¹ Although the present communication may include amendments to the application or claims, or characterizations of the claims or referenced art, the applicants do not concede in this application that previously pending claims are not patentable over the cited reference. Rather, any amendments or other revisions are made in this paper to expedite prosecution of the present application. The applicants reserve the right to pursue any previously pending claims or other claims with different scope (e.g., broader or narrower) that capture subject matter supported by the present disclosure, including subject matter disclaimed herein or by any prior prosecution. Therefore, it shall not be reasonable to infer that the applicants have disclaimed or disavowed any subject matter supported by the present application.

Claims 2-3 and 5-9 depend from claim 1. Accordingly, claims 2-3 and 5-9 are now in condition for allowance for the reason discussed above with reference to claim 1 and for the additional features of these claims.

Claims 19-24 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The Examiner suggested amending the preamble of claim 19 to read: "A computer readable medium encoded with computer executable instructions to cause...." The applicants would like to thank the Examiner for the suggested preamble language. Claim 19 has been amended to incorporate this suggested language and thus is now in condition for allowance.

Claims 20-22 and 24 depend from claim 19. Accordingly, claims 20-22 and 24 are now in condition for allowance for the reason discussed above with reference to claim 19 and for the additional features of these claims. Without conceding that the subject matter of claim 23 was not patentable, claim 23 has been cancelled.

Claims 37-45 have been added in this response. Claims 37-45 contain the allowed subject matter of claims 10-18, presented as method claims. The applicants previously presented and paid for 36 claims and desire to use the funds already paid to obtain the additional claims. Thus, because claims 37-45 contain the subject matter of claims already allowed, claims 37-45 are in condition for allowance.

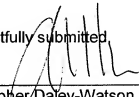
In view of the above amendments, the applicants believe the pending application is in condition for allowance. The applicants accordingly request reconsideration of the application and respectfully submit that the claims are in condition for allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to contact Christopher Daley-Watson at (206) 359-3599.

The applicants believe no fee is due with this response. However, if a fee is due,

please charge our Deposit Account No. 50-0665, under Order No. 340158010US from which the undersigned is authorized to draw.

Dated: 9/28/07

Respectfully submitted,

By 
Christopher Daley-Watson
Registration No.: 34,807
PERKINS COIE LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8000
(206) 359-7198 (Fax)
Attorney for Applicant